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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,574	02/16/2006	Normann Sandoy	06006	5112
23338	7590	04/03/2009	EXAMINER	
DENNISON, SCHULTZ & MACDONALD			MOHANDESI, IRAJ A	
1727 KING STREET				
SUITE 105			ART UNIT	PAPER NUMBER
ALEXANDRIA, VA 22314			2834	
			MAIL DATE	DELIVERY MODE
			04/03/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/566,574	SANDOY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	IRAJ A. MOHANDESI	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 1/21/2009.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
  - 4a) Of the above claim(s) 1-5 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 6-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____ .	6) <input type="checkbox"/> Other: _____ .

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.
2. Applicant has canceled claims 1-5.
3. New claims 6-12 have been introduced.
4. New claims are supported by specification.
5. New claims 6-12 are distinct from original claims 1-5.
6. New claims 6-12 will be examined as amended claims.

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 6 and 9-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Dimaczek German patent 1932929.
9. Regarding claim 6, Dimaczek German patent 1932929 discloses a Diesel /Turbo machine ( see page 2) propulsion system for ships comprising: a driving machine (6) an synchronous, permanent magnet electrical generator (5) having inherently an electrical output and a plurality of poles, powered directly by the driving machine; a synchronous, permanent magnet electrical propulsion motor (3,4) having a plurality of poles, powered by the output of the electrical generator ( see Fig. 5), with a fixed and

direct electrical connection thereto; and a propeller (1) or similar propulsion device operated by a mechanical connection (2) to the electrical propulsion motor (3,4), the electrical generator and the electrical propulsion motor having operating characteristics which are substantially the same (they both synchronous type machine) .

10. Regarding claim 9, Propulsion system of Dimaczek the output of the electrical generator is additionally connected to a branch circuit for feeding a consumption network ( se fig.5 connection between generator 5a,5b and 7,9), a frequency converter ( 7, see , page 3 line 21 “Drehzaahsteuervorrichtung” ‘speed regulating device” ) being provided between the output and the branch circuit to provide a stable frequency from the generator.

11. Regarding claim 10-12 Propulsion system Dimaczek additionally comprising an auxiliary generator (5b) powered by the driving machine for feeding a consumption network, a frequency converter (7) being provided between the auxiliary generator and the consumption network further the engine is a diesel engine (6) or gas turbine engine.

### ***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dimaczek.

14. Dimaczek German patent 1932929 teaches all limitation of claimed invention except the ratio between the number of poles in the generator and the number of poles in the propulsion motor of 3:1 to 1:20 and the generator having fewer poles than the propulsion motor.

15. It would have been obvious to one having the ordinary skill in the art at the time the invention was made to provide a ratio between the number of poles in the generator and the number of poles in the propulsion motor of 3:1 to 1:20 and having the generator with fewer poles than the propulsion motor for the improvement of operation, since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. *In re Boesh*, 617 F.2d 272 205 USPQ 215 (CCPA 1980).

### ***Conclusion***

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IRAJ A. MOHANDESI whose telephone number is (571)272-2028. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Quyen Leung can be reached on 571-272-8188. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

I Mohandes March 4, 2009

/Nicholas Ponomarenko/  
Primary Examiner, Art Unit 2834  
March 6, 2009